

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2757 OF 2020  
(@ Diary No(s).10362/2020)

YUVRAJ JANGID & ORS.

Appellant(s)

VERSUS

SHARATH RK & ANR.

Respondent(s)

O R D E R

Permission to file appeal is granted.

The order dated 09.01.2020 passed by the National Green Tribunal is challenged in this appeal. By the said order, the Tribunal directed the authorities to remove 320 unauthorized building/ houses/ shops /sheds at Thanisandra main road Eastern and Western side of the roads along High Tension Live in Ashwathanagara in ward No.06 (Thanisandra) of Byatarayanapura Sub-Division of Bruhat Bengaluru Mahanagara Palike (BBMP) Bangalore by using force, if necessary.

The appellants have filed this appeal alleging that the Tribunal does not have jurisdiction to adjudicate the matter which mainly pertains to the constructions being made under high tension wires. Mr. Devadatt Kamat, learned senior counsel appearing for the appellants argued

that the respondent's complaint does not pertain to any environmental violation.

As the appeal is filed against an interlocutory order, we are of the opinion that the appellants should be granted liberty to approach the Tribunal seeking a modification of the Order dated 09.01.2020 which was passed in their absence. The Tribunal is requested to dispose off the said application filed by the appellants expeditiously.

In the meanwhile, no coercive action shall be taken against the appellants.

The appeal is disposed of. Pending application(s), if any, shall stand disposed of.

.....J.  
(L.NAGESWARA RAO)

.....J.  
(HEMANT GUPTA)

.....J.  
(S.RAVINDRA BHAT)

NEW DELHI;  
15<sup>th</sup> July, 2020.

ITEM NO.2

Virtual Court 7

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL

Diary No(s).10362/2020

(Arising out of impugned final judgment and order dated 09-01-2020  
in OA No.115/2019 passed by the National Green Tribunal)

YUVRAJ JANGID &amp; ORS.

Appellant(s)

VERSUS

SHARATH RK &amp; ANR.

Respondent(s)

(With applns exemption from filing c/c of the impugned judgment,  
permission to file appeal)

Date : 15-07-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Mr. Devadatt Kamat, Sr.Adv.  
Mr. Nishanth Patil, AOR  
Ms. Sneha Ravi Iyer, Adv.  
Mr. Rajesh Inamdar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Permission to file appeal is granted.

The appeal is disposed of in terms of the  
signed order. Pending application(s), if any, stands  
disposed of.

(B.Parvathi)  
Court Master

(Anand Prakash)  
Court Master

(Signed order is placed on the file)